

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2002-093778

06/07/2006

HONORABLE JO LYNN GENTRY-LEWIS

CLERK OF THE COURT
D. Fisk
Deputy

IN RE THE MATTER OF
TONYA S BROWN

FILED: 06/15/2006

RICHARD G NEUHEISEL

AND

ROBERT CHESARE CONTRERAS

BARBARA L FUQUA

CONCILIATION SERVICES-SE
EXPEDITED SERVICES-SE

MINUTE ENTRY

Courtroom 302

10:57 a.m. This is the time set for Resolution Management Conference re: Modification of Custody, Parenting Time and Child Support. Petitioner/Mother, Tonya S. Brown, is present and represented by counsel, Richard Neuheisel. Respondent/Father, Robert Chesare Contreras, is present and represented by counsel, Barbara L. Fuqua.

A digital audio recording of this proceeding is being made by "For The Record" recording system in lieu of a court reporter.

Counsel advise the Court of the temporary agreement of the parties which is in effect for the summer only: The parties shall share one week on and one week off for parenting time. The exchange of the children shall take place on Saturdays at 8:00 a.m. The receiving party shall provide transportation. Every Sunday Father shall have the minor children from 8:00 a.m. until 1:00 p.m. On Sundays, Father shall provide transportation to and from Mother's residence. The parties are allowed to travel with the children during their week of parenting time but shall provide the other party their itinerary and unlimited reasonable telephonic contact with the children.

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IT IS ORDERED that the week on/week off parenting time access shall commence on June 10, 2006, at 8:00 a.m.

If the parties are unable to reach an agreement in the Parenting Conference, the following access schedule shall apply at least until Trial: Father shall have the minor children from July 29, 2006, through August 4, 2006; they shall return to Mother for the weekend; the children return to Father August 7, 2006, through August 11, 2006; the children return to Mother; the children return to Father on August 18, 2006, for the weekend; the children return to Mother on August 20, 2006, at approximately 6:00 p.m.; and the children shall remain with Mother at least until the date of the Trial. Mother shall either be at home with the children or provide daycare during this period.

IT IS FURTHER ORDERED that neither parent shall make, nor allow any other person to make, disparaging remarks to or about the other parent to or in front of the minor children or within hearing of the children.

It appearing to the Court that there exists one or more contested issues pertaining to the custody and/or parenting time of the minor children, the Court having determined that this is an appropriate matter to be referred to Conciliation Services for a non-confidential Parenting Conference, and the Court having contacted Conciliation Services in open Court to determine a time for the conference,

IT IS ORDERED referring this matter to **Conciliation Services** for a non-confidential Parenting Conference on **July 6, 2006, at 8:30 a.m.**

IT IS ORDERED that immediately following this hearing the parties shall report to Conciliation Services on the first floor of the Southeast Facility, 222 East Javelina Avenue to complete the required documents.

IT IS ORDERED that the parties shall fully cooperate comply with all directives of Conciliation Services.

IT IS FURTHER ORDERED that no party may notice any deposition of any staff member of Conciliation Services for any purpose without first obtaining permission from this division.

Should you fail to appear for your scheduled Parenting Conference appointment, the Court may impose sanctions and/or require that you participate in private services.

IT IS ORDERED referring this matter to **Expedited Services** for calculations of child support and arrearages.

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Tonya S. Brown and Robert Chesare Contreras are sworn.

The parties state they are in agreement with the stipulation as stated on the record.

THE COURT FINDS the agreement is not a result of coercion, is fair and equitable, in the best interests of the parties and is binding upon the parties pursuant to Rule 69, and the Court adopts the agreement as the order of the Court.

IT IS ORDERED setting this cause for Trial to the Court on **August 29, 2006, at 9:00 a.m.** (3 hours allotted; one and one-half hours each side) before:

Honorable Jo Lynn Gentry-Lewis
Southeast Judicial District
Courtroom 302
222 East Javelina Avenue
Mesa, Arizona 85210

The parties are instructed to contact the Court if a Trial is not needed due to resolution of the issues.

IT IS FURTHER ORDERED all discovery shall be completed **July 28, 2006.**

A Joint Pretrial Statement shall be filed pursuant to Rule 6.8(b), Local Rules of Maricopa County (Domestic Relations Proceedings) no later than **August 22, 2006.** If the parties are unable to meet to draft a joint pretrial statement by **August 18, 2006,** the jury room shall be available to the parties. If the parties want to make an opening statement, it may be included in the Pretrial Statement. In addition, each party shall attach to the Pretrial Statement:

1. An updated affidavit of the current financial circumstances pursuant to Rule 6.7, Local Rules of Maricopa County.
2. A current and detailed inventory and appraisal of the property and assets of the parties.
3. A proposal of how the property and assets should be divided and the proposed disposition of each issue before the Court.
4. A Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.

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Pretrial motions not filed with the Pretrial Statement will be deemed waived. Postponements will be granted only in accordance with appropriate rules.

Failure of counsel or of any party to present the Joint Pretrial Statement in proper form including each and every attachment required shall, in the absence of good cause shown, result in the imposition of any or all available sanctions pursuant to Local Rule 6.2(e).

If this matter is settled and will proceed in the manner of a default, you may contact this division for an expedited hearing date.

Counsel are advised that if the presentation of evidence does not allow for closing arguments, the Court will direct the parties to submit written closing arguments. If time allows for closing arguments, the Court may hear closing arguments at that time.

IT IS FURTHER ORDERED that any exhibits to be used at Trial shall be delivered to the Clerk of this Division, Courtroom #302, **August 22, 2006**. Any exhibit not received by the Clerk of this Division five Court days prior to Trial may not be admitted or other sanctions may be imposed.

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed an approved Parent Education Program in accordance with A.R.S. § 25-831 et seq. Prior to the trial, and file proof thereof prior to or at the trial. **IF NEITHER PARTY HAS COMPLETED THE PARENT EDUCATION PROGRAM PRIOR TO THE TRIAL, THE COURT MAY VACATE THE TRIAL AND REQUIRE COMPLIANCE PRIOR TO PROCEEDING.** If only one party has completed the Parent Education Program, the Court may permit that party to proceed by default.

IF EITHER PARTY FAILS TO APPEAR FOR TRIAL, THE TRIAL MAY NEVERTHELESS PROCEED, AND RELIEF MAY BE ENTERED IN FAVOR OF THE PARTY WHO HAS APPEARED.

IF BOTH PARTIES FAIL TO APPEAR, THE TRIAL MAY BE VACATED AND/OR THE ACTION MAY BE DISMISSED.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this Division **three (3) court business days** before the scheduled hearing.

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IT IS ORDERED that the minor children shall be with Father on July 15, 2006, for paternal aunt's wedding. The parties shall make arrangements to accommodate the attendance of the children to the wedding.

11:19 a.m. Matter concludes.

**PLEASE NOTE: IMPORTANT INFORMATION RE: CD/VIDEOTAPE
FEE CURRENTLY IN EFFECT**

This Courtroom uses an electronic recording system for the record. All CDs and videotapes will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Forms to request a recording of a proceeding are available in the Self-Service Centers and in the JAVS and FTR courtrooms.

If a party wants a court reporter to record a proceeding in this Court, a written request must be filed at least 48 hours before the commencement of the proceedings.

A person requesting a daily copy CD or videotape must complete the appropriate request form and pay the applicable fee at the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD or videotape in the customary manner.

A person wanting a copy of a hearing from a previous occasion must contact Ken Crenshaw at 602-506-7100.

NOTICE: A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.

In the event that the parties have any difficulties interpreting, enforcing or otherwise complying with provisions of this Order, they shall first seek mediation through Conciliation Services or some other qualified mediator of their mutual selection to attempt to reach agreement prior to seeking Court intervention.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.